

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

MARIO A. VALENTI)	CIVIL NO. 03-00485 ACK-KSC
)	
Plaintiff,)	ORDER DENYING WITHOUT
)	PREJUDICE PLAINTIFF'S
vs.)	MOTION FOR AWARD OF
)	ATTORNEY'S FEES
MICHAEL V. ASTRUE,)	
Commissioner, Social)	
Security Administration)	
)	
Defendant.)	
_____)	

ORDER DENYING WITHOUT PREJUDICE PLAINTIFF'S
MOTION FOR AWARD OF ATTORNEY'S FEES

On May 29, 2008, Plaintiff Mario Valenti ("Plaintiff") filed a Motion for Award of Attorney's Fees ("Motion"). On June 3, 2008, Plaintiff filed a Declaration. Pursuant to Local Rule 7.2(d) of the Local Rules of Practice of the United States District Court for the District of Hawaii ("Local Rules"), the Court finds this matter suitable for disposition without a hearing.

Plaintiff moves for an award of attorneys' fees pursuant to 42 U.S.C. § 406(b). After careful consideration of Plaintiff's Motion and the supporting

memoranda and exhibits, the Court finds that Plaintiff has failed to comply with the requirements set forth in Local Rule 54.3.

Local Rule 54.3(d) requires in part that the party moving for fees include "a description of the work performed by each attorney and paralegal, broken down by hours or fractions thereof expended on each task." Local Rule 54.3(d). Plaintiff failed to include such documentation in his memorandum. Without documentation of the hours expended by Plaintiff's counsel, the Court is unable to ascertain the reasonableness of the fees requested. Accordingly, the Court denies the Motion without prejudice.

In the event Plaintiff elects to refile the Motion, he is cautioned that failure to fully comply with all applicable Local Rules may result in the denial of the Motion with prejudice.

Based on the foregoing, the Court HEREBY DENIES Plaintiff's Motion without prejudice.

IT IS SO ORDERED.

Dated: Honolulu, Hawaii, June 6, 2008.




Kevin S.C. Chang
United States Magistrate Judge

CV NO. 03-00485 ACK-KSC; VALENTI V. ASTRUE, ORDER DENYING WITHOUT
PREJUDICE PLAINTIFF'S MOTION FOR AWARD OF ATTORNEY'S FEES